STANDARD FORM OF AGREEMENT

STATE OF TEXAS   §
                        §
COUNTY OF   §

       THIS AGREEMENT, made and entered into this _____day of _____, 20____, by and between the **CITY OF FRISCO, TEXAS**, a Texas Municipal Corporation, of the County of Collin and State of Texas, acting through _____ thereunto duly authorized so to do, Party of the First Part, hereinafter termed OWNER, and McMahon Contracting, LP of the City of Irving, County of Dallas, and State of Texas, Party of the Second Part, hereinafter termed CONTRACTOR.

       WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the OWNER, and under the conditions expressed in the bond bearing even date herewith, the said CONTRACTOR hereby agrees with the said OWNER to commence and complete the construction of certain improvements generally described as follows:

<div align="center">

REBID OF
DOGWOOD STREET (CIP # 03-0111) AND MEADOW LANE (CIP # 04-0003)
PAVING, DRAINAGE, WATER AND WASTEWATER IMPROVEMENTS
BID NO. 0910-003

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and all extra work in connection therewith, under the terms as stated in the General Conditions of the Agreement and at his (or their) own proper cost and expenses to furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and other accessories and services necessary to complete the said construction, in accordance with the conditions and prices stated in the Proposal attached hereto, and in accordance with the Advertisement for Proposals, General and Special Conditions of Agreement, Plans and other drawings and printed or written explanatory matter thereof, and the Specifications and addenda therefore, as prepared by **LAWRENCE A. CATES & ASSOCIATES, LLP.**, herein entitled the ENGINEER, each of which has been identified by the CONTRACTOR and the ENGINEER, together with the CONTRACTOR'S written Proposal, and the Performance and Payment Bonds hereto attached; all of which are made a part hereof and collectively evidence and constitute the entire contract (hereinafter collectively called the "Contract Documents" or the "Contract").

       The CONTRACTOR hereby agrees to commence work within ten (10) days after the date written notice to do so shall have been given to him, and to substantially complete the same within __7__ calendar months after the written notice to commence work, subject to such extensions of time as are provided by the General and Special Conditions.

       The OWNER agrees to pay the CONTRACTOR in current funds the price or prices shown in the Proposal, which forms a part of this contract, such payments to be subject to the General and Special Conditions of the contract.

       IN WITNESS WHEREOF, the parties to these presents have executed this Agreement in the year and day first above written.

CITY OF FRISCO, TEXAS
Party of the First Part   Party of the Second Part
(OWNER)   (CONTRACTOR)

By: _____   By: _____

ATTEST: ATTEST:

_____   _____